



Austin City Council MINUTES

For SEPTEMBER 5, 1985 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

City Council

Frank C. Cooksey
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Mark Rose
Smoot Carl-Mitchell
Sally Shipman
George Humphrey
Charles E. Urdy

Jorge Carrasco
City Manager

Elden Aldridge
City Clerk

Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the presence of all Councilmembers.

ANNEXATION HEARINGS POSTPONED

Mayor Cooksey announced the annexation hearings scheduled for 5:00 p.m. would not be heard today because of posting problems. He said they were postponed until October 16 and 17, 1985. There will be an on-site hearing October 16 at 4:00 p.m. in the Mt. Olive Lutheran Church in Oak Hill. The second hearing will be October 17, 1985 in the Council Chamber.

Mayor Cooksey said there is a petition from the Northcentral area which is being checked to see whether it is valid. If it is, there will be an on-site hearing scheduled for that area.

MINUTES APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second approved minutes for regular meetings of August 22, 1985 and special meetings of August 19 and 21, 1985. (7-0 Vote)

CITIZENS COMMUNICATIONS

Mr. John C. Towery, Mr. Victor H. Appel and Mr. David W. Ross, who had all requested to discuss the closing of 23rd Street, had their attorney, Mr. Les King speak for them. He said the closing would have an adverse

effect on the market value of property in the area and asked Council not to close 23rd Street.

Ms. Joanne Caldarola did not appear.

Mr. Jerry L. Spain, discussed the Austin Police Association pay presentation and gave a copy to Councilmembers and the City Clerk. Joe Colbert, attorney for Austin Police Association, told Council the proposal is for a 20% increase across the board. He discussed the statistics concerning their proposal.

Mr. David N. Elliott, Ms. Jane Hamond, Mr. Rick Gerber and Mr. Dennis Paddie, did not appear.

Mr. Lawrence Cranberg discussed his proposal of a safety program on gas, electric and wood-burning space heaters.

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

Operating Budget Amendment

Amended the 1984-85 Annual Operating Budget by:

- a. Appropriating \$200,000.00 from Community Development Block Grant (CDBG) reprogrammable funds for the local match for the Sixth Street Mercado Project Urban Development Action Grant.

Capital Improvements Program

Amended the 1984-85 Capital Improvements Program by:

- a. Appropriating \$400,000.00 from the FY 1984-85 Water and Wastewater Transfer to Capital Improvements Program to fund the Water and Wastewater Master Plan. C.I.P. Nos: 85/23-20 & 85/22-05.

Code Amendment

Amended Chapter 13-5 of the City Code of the City of Austin by making deletions and additions to certain provisions contained in the code for energy conservation in new construction.

Franchise Repealed

Repealed Ordinance Nos. 840913-G and 840913-H granting a franchise to ARA Transportation, Incorporated, to operate a shuttle bus system and charter bus system.

Laidlaw Transit Inc.

Passed through FIRST READING ONLY an ordinance granting a franchise to Laidlaw Transit, Inc. to operate and maintain a shuttle bus system.

Passed through FIRST READING ONLY an ordinance granting a franchise to Laidlaw Transit, Inc. to operate and maintain a limited charter bus system.

Meter Zones

Amended the Austin City Code to add the following parking meter zones.

<u>Meter Type</u>	<u>Street</u>	<u>Location</u>	<u>Side of Street</u>
15-120 minute	West 6th	800-900 Block	North & South
15-120 minute	West 3rd	300 Block	North
15-120 minute	West 4th	300 Block	South
15-120 minute	West 6th	500-600-700 Block	North & South

Speed Zones

Amended the Austin City Code to modify the following Speed Zones:

SECTION 11-2-99(d) (SCHOOL SPEED ZONE) 20 MPH

ADD: Susquehanna Lane from 140 feet west of Springdale Road (north side) to 225 feet east of Dubuque Lane (south side).

ITEMS POSTPONED

Postponed until September 12, 1985 the following items:

- Consider approving the creation of a nonprofit corporation for the purpose of planning, developing and participating in Health Care Joint Ventures; approving articles of incorporation and bylaws and negotiate a contract for a magnetic resonance imaging joint venture.
- Consider amending Ordinance No. 840717-A relating to the purchase of fire demand meters.

CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, adopted the following resolutions in one consent motion: (7-0 Vote)

Eminent Domain Proceedings

Authorized eminent domain proceedings to acquire a wastewater easement and temporary working space easement for the Christopher Street and South 5th Street Wastewater Improvements Project:

- a. 1,976 sq. ft. of land out of Block B, Division "B", James Bouldin Estate in the City of Austin. (Bouldin Creek Partnership)

Authorized eminent domain proceedings to acquire in fee simple the following described land for the Spicewood Springs Road Street Improvement Project;

- a. 13,006 sq. ft. of land out of the James Mitchell Survey No. 17, in the City of Austin. (Egbert V. Smith, owner)

Capital Improvements Program

Acquired right-of-way for the Brodie Lane/William Cannon-Paisano Improvement Project and trade of excess land for right-of-way. (Bannockburn Baptist Church, owner) C.I.P. No. 79/62-14.

Approved a proposed Supplemental Amendment No. 1 of the Professional Services Agreement between the City of Austin and Martinez and Wright Engineers, Inc. for Burnet Road (F.M. 1325) Water Transmission Main Improvement (now referred to as the MoPac Water Transmission Main). \$53,000.00.

Item Pulled

Pulled from the agenda was a resolution to consider approval of contract between the City of Austin and IBM Corporation for acquisition of right-of-way on North MoPac (Loop 1)

Contracts Approved

Approved the following contracts:

- | | |
|--|--|
| a. GARNEY COMPANIES, INC.
P. O. Box 1509
Round Rock, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Southeast Austin Transmission
Main - Option 1 - Oltorf Extension,
Water and Wastewater Department
Total \$657,890.00 C.I.P. No.
80/22-05 |
| b. ANTHONY BROS. CONSTRUCTION CO.
3816 So. Lamar, Suite 203
Austin, Texas | - CAPITAL IMPROVEMENT PROGRAM -
Construction of Sidewalk and
Sidewalk Ramp Improvements on:
Red River Street, Airport Blvd.
and Burnet Road, Public Works
Department.
Total \$103,125.00 C.I.P. 85/61-03 |
| c. ELECTRIC UTILITY CONSTRUCTION CO.
5401 South Sheridan, Unit 202
Tulsa, Oklahoma | - CAPITAL IMPROVEMENTS PROGRAM -
Overhead Electric Distribution
Facilities for Bluff Springs
Road, south of North Bluff Drive,
Electric Utility Department
Total \$39,286.20 C.I.P. No.
85/14-02 |
| d. Bid award: | - CAPITAL IMPROVEMENTS PROGRAM -
Padmount Transformers, Electric
Utility Department
Total \$767,417.00 C.I.P. No.
85/15-02 |
| (1) TECHLINE, INC.
8750 Shoal Creek Blvd.
Austin, Texas | - Items 1 & 2 - \$224,765.00 |
| (2) POWER SUPPLY OF AUSTIN
1616 West 5th Street
Austin, Texas | - Item 3 - \$35,262.00 |
| (3) TEMPLE, INC. (MBE)
3900-J Drossett
Austin, Texas | - Items 4 & 5 - \$172,990.00 |

- (4) GENERAL ELECTRIC SUPPLY CO. - Items 6-10 - \$334,400.00
3101 Longhorn Blvd., #116
Austin, Texas
- e. H. B. ZACHRY COMPANY - Traveling Water Screens in
527 Logwood Seaholm Units 5 and 6, Electric
San Antonio, Texas Utility Department
Total \$53,500.00 85-C837-JJ
- f. MOTOROLA COMMUNICATIONS & - Microwave Communication Links,
ELECTRONICS Electric Utility Department
7600 Chevy Chase #510 Total \$1,415,469.00 85-S772-FW
Austin, Texas
- g. CONSOLIDATED TRAFFIC CONTROLS - Emergency Traffic Light Signal
2707 South Cooper, Suite 121 Detection System, Austin Fire
Arlington, Texas Department
Item 1-4 - \$39,190.00 85-0412-OM
- h. BARD CARDIOPULMONARY DIVISION - Oxygenators, Brackenridge
OF C. R. BARD, INC. Hospital
Concord Road, P. O. Box M Twelve (12) Month Supply Agreement
Billerica, Massachusetts Total \$36,648.00 BS5-1263
- i. ENNIS PAINT MANUFACTURING CO. - Traffic Paint, Central Stores
2800 Old Hwy. 75 North Division
Ennis, Texas Twelve (12) Month Supply Agreement
Item 1-4 - \$59,100.00 85-0382-GW
- j. DENTAL PROSTHETICS - Dental Laboratory Services, Health
5501 Village Lane Department
Austin, Texas Two (2) Year Contract
Estimated total \$55,000.00
85-S761-LI
- k. MARTIN EQUIPMENT COMPANY - Three (3) 4-Wheel Street Sweepers,
1888 W. Northwest Highway Vehicle & Equipment Services
Dallas, Texas Department
Item 1 - \$215,946.00 85-0344-OM/JB
- l. TOM FAIREY COMPANY - Motor Grader, Vehicle and Equipment
IH-35 North of Kyle Services Department
Kyle, Texas Item 1 - \$61,784.00 85-0345-OM/JB
- m. COALE MACHINERY COMPANY - Heavy Duty Truck-Mounted Hole
Main Street Digger, Vehicle & Equipment
Converse, Texas Services Department
Item 1 - \$87,870.00 85-0346-OM/JB
- n. ASSOCIATED BATTERY SUPPLY - Batteries, Vehicle and Equipment
10505 Burnet Road Services Department
Austin, Texas Twelve (12) Month Supply Agreement
Items 1-37 - \$50,268.00 85-0357-OM

Leases

Approved lease amendment with Equitech Real Estate Investors for the Austin Police Department (Organized Crime Unit).

Entered into a lease amendment No. Five with Petroleum, Ltd. for additional lease space in the Petroleum Building, 1524 South IH 35.

Approved lease with Arex Joint Venture III for the Resource Management Department.

Easement

Dedicated sixty (60) square feet out of a City-owned tract of land for public utility easement purposes.

Water Main

Approved a Community Facilities Contract with Franklin Savings Association for construction of a water main in the Cameron Road right-of-way.

Item Pulled

Pulled from the agenda was consideration of a license agreement to allow the encroachment of brick pavers and trees into the public right-of-way adjoining Lots 1,2,3 and 4, Block 62, Original City of Austin, 507 Sabine Street. (Request submitted by Mr. Lloyd Hayes).

Release of Easement

Authorized release of the following easements:

- a. A portion of the Electric and Telephone Easement of record in Volume 6472, Page 2149, of the Travis County Real Property Records and located on Lot 16, Laguna Loma Cove. (Request submitted by Mr. Mark Chalmers).
- b. A portion of an Electric and Telephone Easement recorded in Volume 6882, Page 2102, of the Travis County Real Property Records and located on Lot 1, T.A.S.S.P.-T.A.S.C. Subdivision locally known as 1833 South I.H.35. (Request submitted by Metcalfe Engineering Co., Inc. on behalf of the Texas Association of Secondary School Principals and the Texas Association of Student Councils).

Water and Wastewater Mains

Approved the following Water and Wastewater Mains. The amount of LUE's approved for wastewater commitment does not guarantee service in the event that the flows to affected treatment plants exceed legally permitted flows; and does not imply commitment for land use. (Water and Wastewater Commission recommended approval)

Council pulled off from the agenda some of those on the following list and such action is indicated beside the number.

- a. #173 Onion Creek Plantation, Water
- b. #453 Sierra Arbor Estates, Water
- c. #457 West Bend Tract, Water
- d. #494 Pond Springs Subdivision, Wastewater
- e. #510 Texas Oaks III, Water City Cost Participation of \$250,838.40.
- f. #573 Laurelwood Subdivision, Wastewater
- g. #580 Villas of Oak Hill, Water (PULLED OFF - PREVIOUSLY APPROVED)
- h. #615 Kruger Tract, Water City Cost Participation of \$69,200.00
- i. #633 Charming's Hollow, Water
- j. #653 BGR Business Park, Water
- k. #664 Park 290 East, Water City Cost Participation of \$92,300.00
- l. #665 Park 290 East, Wastewater City Cost Participation of \$389,500.00
- m. #668 Faulkner Tract, Water (PULLED OFF)
- n. #675 North Lamar 41.5 Acre Tract, Wastewater
- o. #689 Oriens Park, Wastewater
- p. #690 Woodlands South, Water City Cost Participation of \$250,838.40
- q. #698 Wirm Tract, Water
- r. #714 Williamson-Carpenter Joint Venture, Water
- s. #727 Wm Cannon Brodie Tract, Water City Cost Participation of \$34,598.40
- t. #738 McAdams Tract, Wastewater (PULLED OFF)
- u. #739 Storm Tract, Water City Cost Participation of \$34,598.40

- v. #745 Wind River Road, Wastewater
- w. #748 Decker Lane Tract, Water City Cost Participation of \$95,150.00
- x. #752 Colonial Park, Water
- y. #753 Colonial Park, Wastewater
- z. #754 Bay Colony Office Park, Water
- aa. #755 Bay Colony Office Park, Wastewater
- bb. #779 Springfield Subdivision, Water
- cc. #800 Paisano Tract, Wastewater
- dd. #803 Yager Lane 35.19 Ac. Tr., Water City Cost Participation of \$124,000.00
- ee. #805 J.M.L. Joint Venture 581 Ac. Tr., Water
- ff. #806 J.M.L. Joint Venture 516 Ac. Tr., Wastewater
- gg. #808 Meadows of Walnut Creek, Water
- hh. #812 Marble Creek, Water
- ii. #813 Marble Creek, Wastewater
- jj. #825 Spellman Addition & Mercedes Addition, Wastewater (PULLED OFF)
- kk. #843 Slaughter Creek Commercial Park, Water
- ll. #844 Slaughter Creek Commercial Park, Wastewater
- mm. #865 The Bluffs of Cat Mountain, Water
- nn. #866 Bowles Tract, Water
- oo. #867 Bowles Tract, Wastewater
- pp. #906 Paisano Tract, Water City Cost Participation of \$34,598.40
- qq. #930 Laurelwood Subdivision, Water City Cost Participation of \$250,838.40

Denial of Site Plan

The vote on the following was 6-0 with Mayor Cooksey abstaining as he did not attend the meeting when the case was heard.

Adopted findings with regard to the denial of the site plan in Case No. SP-85-075.

Application by Police Department

Approved an application to the Texas Department of Highways and Public Transportation for enforcement of the 55 MPH speed limit by the Austin Police Department in Fiscal Year 1985-86.

Grant Award

Accepted a grant award in the amount of \$43,206.00 from the Governor's Office of the State of Texas, Criminal Justice Division, for the continued operation of the Juvenile Delinquency Prevention through Crisis Intervention Program. (September 1, 1985 through August 31, 1986)

Accepted a grant award in the amount of \$205,862.00 from the Governor's Office of the State of Texas, Criminal Justice Division, for the continued operation of the Greater Austin Area Organized Crime Contril Unit. (October 1, 1985 through September 30, 1986)

Items Postponed

Postponed until September 12, 1985 consideration of allocation of community channels on Austin CableVision's subscriber system:

- a. Use of cable access channel 19 by Austin Community College.
- b. Approval of AISD's request for a second channel.

Personnel Policies

Approved updating the official Personnel Policies with changes made by Council during budget and other deliberations.

Items Pulled

Pulled from the agenda were two items, one to consider implementing the ETJ Exchange with the City of Round Rock as conceptually agreed to on July 25, 1985; and consideration of creating a Downtown Overview Advisory Committee to replace the Downtown Revitalization Task Force.

Also pulled from the agenda was an item listed under resolutions which should have been listed as an ordinance, and was consideration of approval of the Awards and Sale of General Obligation Refunding Bonds.

Hearings Set

- a. Set a public hearing on September 19, 1985 at 6:00 p.m. to establish a proposal to increase the property tax rate by 6.93% over the calculated effective tax rate and setting a public hearing on the tax increase.
- b. An ordinance amending the standing and appeals provisions in the special watershed ordinances and waterway development permit regulations: September 19, 1985 at 4:00 p.m.
- c. Amend the Northwest Area Land Use Guidance Plan: September 26, 1985 at 3:00 p.m.

Settlement of Suit

Authorized settlement of the suit of United South Austin et al v. City of Austin.

ENCROACHMENT

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second adopted a resolution entering into the following License Agreement:

To allow the encroachment of brick pavers into the public right-of-way adjoining the west 62' of Lot 4, Outlots 30, Division E, Government Addition, Original City of Austin, 510 West 15th Street. (Request submitted by Mr. Lyle Johnson on behalf of the Texas Association of Builders).

MUNICIPAL OFFICE COMPLEX

Council had before them a resolution approving urban design refinements for the Municipal Office Complex. The following motions were made:

Motion

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Shipman to adopt a single level plaza as per RFP, Center Block 3.

Substitute Motion - FAILED

Councilmember Rose offered a substitute motion, seconded by Mayor Pro Tem Trevino, to approve a two level plaza. Motion FAILED by a vote of 3-4 with Mayor Cooksey, Councilmembers Carl-Mitchell, Humphrey and Shipman voting No.

Roll Call on Motion for Single Level Plaza

7-0 Vote

Motion

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Shipman to locate the Council Chambers on the plaza.

Substitute Motion- FAILED

The substitute motion, offered by Councilmember Rose and seconded by Mayor Pro Tem Trevino to locate the Council Chamber inside the main building, FAILED by a vote of 3-4, with Mayor Cooksey, Councilmembers Carl-Mitchell, Humphrey and Shipman voting No.)

Roll Call on Motion for Chambers on Plaza

5-2 Vote, Mayor Pro Tem Trevino and Councilmember Rose voted No.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, approved vacation of the alley behind the proposed Municipal Office Complex Project for use of the additional ground area. (7-0 Vote)

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, voted to not narrow Second Street. (5-2 Vote, Mayor Pro Tem Trevino and Councilmember Rose voted No.)
RECESS - Council recessed its meeting from 4:05 p.m. to 4:28 p.m.

OPTION AGREEMENT

Council had before them a resolution to consider approving authorization to enter into an Option Agreement with the Watson-Casey Companies for the Municipal Office Complex Project.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, approved the following: (7-0 Vote)

Request the City Manager to move forward with further development planning for the MOC and that the option be refined to accommodate the design decisions made today by the City Council.

(Continued on next page)

The Option Agreement should be worded in such a manner that both positive and negative contingencies are clearly articulated. Date, specific deadlines should be specified for stated actions; and consequences for failure to meet these deadlines shall be clearly stated. Further, the City Manager should seek a second opinion from an experienced real estate attorney who does not now represent the city or the developer or developer subsidiary, and this firm will not represent either in any capacity for the duration of the development of legal documents related to MOC or for five years, whichever is greater.

Timeline: City Manager return with recommendations by September 12, reviews will take place over the next two weeks and be presented to the Council on September 26, 1985.

PUBLIC HEARING SET - COMMUNITY PARTICIPATION

Council unanimously set a public hearing to consider adopting a Comprehensive Plan Community Participation Structure for September 19, 1985 at 5:30 p.m.

SIGN ORDINANCE TASK FORCE

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, adopted a resolution approving the City Manager's appointments to the Sign Ordinance Task Force as follows: (5-0 Vote, Councilmember Humphrey and Rose out of the room.)

Jane Hickie, Chair; George Boutwell, Charles Meek, Bert Cromack, Michael Curry (Alternate), Joe Steckler, Don Kanabal, Robbie Mayfield, George Lawrence (Alternate), Jim Little and Don Martin.

NO ACTION TAKEN ON APPEAL

No action was taken by Council on the appeal of Mr. Joseph J. Holt requesting exemption from administrative hold on water and sewer taps for the Govalle Plant (616 Oakland).

ENVIRONMENTAL BOARD AMENDMENT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance amending the ordinance declaring purpose, duties, and structure of the Environmental Board, by amending Chapter 4, Article II of the Code of City of Austin, 1981 (7-0 Vote)

PUBLIC HEARING - RATE CHANGES REQUESTED BY SOUTHERN UNION GAS COMPANY

Mayor Cooksey opened the public hearing set for 5:00 p.m. on General Transportation Rate Changes requested by Southern Union Gas Company.

Gary Hunt, Assistant City Manager, reviewed.

Sharlene Collins and Robert Lyman, representing the Southern Union Gas Company, stated their case.

Don Butler, attorney representing the City of Austin concerning rate cases, discussed the rate change request.

Bill Oakey appeared to oppose a rate increase.

Mayor Cooksey asked Mayor Pro Tem Trevino to take the chair so that he might make a motion.

Motion

The Council, on Mayor Cooksey's motion, Councilmember Rose's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance prescribing retail and transportation rates as recommended by the City, except approve 13.9% return, for Southern Union Gas Company. (7-0 Vote)

APPEAL TO COUNCIL

The Council heard the appeal of Mr. Michael Sidoric, requesting that Council direct Transwestern Property to immediately pave and remove dangerous conditions they created under council sanction.

Allen Brecher, Director of Urban Transportation, said this will be taken care of.

SALVATION ARMY

City Manager Carrasco reported to Council on the Salvation Army site. A copy of his report is on file in the City Clerk's office. Mayor Cooksey asked whether they are still a religious organization and if they are the implications of the City's involvement with their site. Paul Isham, City Attorney, said there is one case on file where the Salvation Army holds religious services.

PUBLIC HEARING - NORTHWEST LAND USE GUIDANCE PLAN

Mayor Cooksey opened the public hearing set for 2:00 p.m. on an amendment to the Northwest Land Use Guidance Plan to allow office use for Vaught Road Professional Building.

Norman Standerfer, Office of Growth Management, reviewed the request.

John Noell told Council he and his partner purchased the 4 acres of property two years ago for their consulting firm, then the Northwest Land Use program was presented to Council. He said they presently risk losing their financing if they cannot use the land as they intended. Blake Mitchell said it would set a precedent for commercial building close to a creek. Discussion followed.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, approved an amendment to the Northwest Land Use Guidance Plan to allow office use for Vaught Road Professional Building. (7-0 Vote)

COMMUNITY DEVELOPMENT COMMISSION

Don Dameron, chair, Community Development Commission, presented a report to Council and requested they set a public hearing.

The Council, by unanimous consent, set a public hearing for September 12, 1985 at 6:00 p.m. in the Council Chamber on the proposed budget and recommendations regarding the neighborhood centers.

RECESS - Council recessed its meeting from 7:40 p.m. to 8:20 p.m.

ZONING HEARINGS

Mayor Cooksey announced Council would hear the following zoning hearings scheduled for 3:45 p.m. and 4:00 p.m. Council heard, closed the public hearings and directed the City Manager to return with the necessary ordinances where cases were approved. If cases were postponed or otherwise dispensed with, it is noted following description of zoning case.

- (1) -85 HRH AUSTIN 7500 FM 969
 036 NO. 1 VENTURE 6400 Sandshof Dr.
 By Myrick-Newman 7200 Loyola Lane
 Dahlberg Partners

From "I-SF-3"
 To Tr.1 "LR"
 Tr.2 "SF-3"
 Tr.3 "MH"

RECOMMENDED subject to dedication of up to 60' right-of-way from centerline of Loyola and up to 75' right-of-way from centerline of FM 969, subject to TIA.

POSTPONED TO 9/26/85 @ 5 P.M.

- (2) -84 O. E. AINSWORTH, 12009-12043 North
 468 TRUSTEE Lamar
 By Jack Morton 12021 Old George-
 town

From "I-SR" (I-RR)
 To "SF-6" (as amended)
 RECOMMENDED subject to a 100' development setback against the single-family to the south, dedication of 100-yr. floodplain as a green-belt, utilization of a joint use drive by the Ainsworth and Thomas tracts, compatibility standards are to be triggered, and dedication of the necessary right-of-way.

GRANTED "SF-2" and "RR" IN 100 YEAR FLOOD-
 PLAIN - "LO" OFFICE TRACT TO BE REFERRED
 BACK TO PLANNING COMMISSION FOR ACTION
 CONSISTENT WITH REQUIREMENTS OF CITY ORD-
 INANCES

(On Mayor Cooksey's motion, Councilmember Shipman's second, 5-2 Vote, Mayor Pro Tem Trevino, Councilmember Urdy voted No.)

- (3) -84 THOMAS CORP. 11930 Oak Brook Dr.
 480 By Jim Nias

From "I-SR" (I-RR)
 To "SF-6" (as amended)
 RECOMMENDED subject to a 100 foot development setback against the single-family to the south, dedication of 100-yr. floodplain as a greenbelt, utilization of a joint use drive by the Ainsworth and Thomas tracts, compatibility standards are to be triggered and dedication of the necessary right-of-way.

GRANTED "SF-2" and "RR" IN 100 YEAR FLOOD-
 PLAIN

(On Councilmember Urdy's motion, Councilmember Humphrey's second, 5-1-0 Vote, Mayor Pro Tem Trevino voted No, Councilmember Rose out of the room.)

- (4) -84 11900 JOINT 11840-11902 North From "I-SR" (I-RR)
461 VENTURE Lamar To "C" 1st (CS)
By Donna NOT RECOMMENDED
Kristaponis RECOMMENDED "LO"

POSTPONE INDEFINITELY

Councilmember Shipman directed the City Manager to direct the staff to draft LO-W zoning.

(On Councilmember Shipman's motion, Councilmember Humphrey's second, 6-0 Vote, Councilmember Rose out of the room)

- (5) r-85 CITY OF AUSTIN 211 East William From "SF-3"
200 By Emerson-Fehr Cannon Drive To "P"
Architects RECOMMENDED
GRANTED AS RECOMMENDED
- (6) -82 NASH GONZALES 627 Radam Lane Amendment of Conditions
053 of Zoning
RECOMMENDED
GRANTED AS RECOMMENDED
- (7) -85 CITY OF AUSTIN 2700 Westhill Drive From "MF-3"
212 By Office of Land Development To "SF-2"
RECOMMENDED
GRANTED AS RECOMMENDED
- (8) -85 BALCONES 1920 Gaston Place From "GR"
195 CONSOLIDATED INC. To "MF-2"
By Bill Harrell RECOMMENDED
GRANTED AS RECOMMENDED
- (9) -85 STANLEY E. JEWELL 506-600 Rundberg Ln. From "GR"
206 TRUSTEE To "CS"
By Lawrence E. Joyce RECOMMENDED
POSTPONE TO 9/12/85 @ 4 P.M.
- (10) r-85 LARRY M. CALAME, 5432 South IH-35 From "I-SF-3"
201 ET AL To "GO"
By Tom Earnest RECOMMENDED
GRANTED AS RECOMMENDED
- (11) r-85 TRAMEL CROW CO. 1801 Slaughter Lane From "I-RR"
056 By David C. Bodenman To "GR"
RECOMMENDED
GRANTED AS RECOMMENDED
- (12) r-85 TRAMEL CROW/ 10000 U.S. 183 From "GR"
155 CROW-GOTTESMAN- To "CH"
SHAFFER #1 RECOMMENDED
By Camp, Dresser & McKee GRANTED AS RECOMMENDED

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Councilmember Rose out of the room.)

- (13) -77 CARPENTER & ASSOC. 12001 U.S. 183
098 By Richard Mathias
- From "I-SF-2"
To "LO"
RECOMMENDED
GRANTED AS RECOMMENDED
- (14) r-85 HUBRIS 7803 Webberville
203 INVESTMENTS (FM 969)
By Reggie Nisbett
- From "I-SR-2"
To "CS"
RECOMMENDED
GRANTED AS RECOMMENDED

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Councilmember Rose out of the room.)

- (15) -84 SPICEWOOD 4320 Spicewood
032 BAPTIST CHURCH Springs Road
By Gary W. Smith
- From "I-A" 1st
(I-SF-2)
To "LR" (LR)
RECOMMENDED
GRANTED AS RECOMMENDED
AND ANY PROPOSED
DEVELOPMENT MUST BE
ACCORDING TO BALCONES
CIVIC ASSOCIATION
GUIDELINES

(On Councilmember Shipman's motion, Councilmember Urdy's second, 6-1 Vote, Councilmember Carl-Mitchell voted No.)

- (16) -85 TOGIE & PAULINE 5908-6004 Manor Rd.
167 BAYLOR
By Terry L. Baylor
- From "SF-3"
To "LR"
RECOMMENDED (as amended)
GRANTED AS RECOMMENDED

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Councilmember Rose out of the room.)

(17) -85 HOWARD L.
170 BURRIS, JR.
By Kristaponis,
Gregory & Assoc.

Lakewood Drive &
Jester Estates Blvd.

From "I-SF-2" & "I-RR"
To Tr. 1 "LR"
Tr. 2 "SF-3"
Tr. 3 "SF-6"

RECOMMENDED "LR",
subject to the following
as a restrictive covenant:
One story, pitched roof with
concrete tile or heavy
shake appearance. Residential
character, facade materials
in earth tones and heavy
landscaping. One berm sign
maximum 4 1/2 feet high and
individual shop signs with
internal illumination with
letters a maximum of 18
inches high. In addition,
to this, we will commit to
the following uses: Gift,
glass, china, fabric, art
object and antique shops.
Florist, seamstress-
dressmaker, tailor shops,
and wearing apparel shops.
Prescription pharmacy,
clinic, barber, hair-
dresser, cosmetologist,
studios, medical or dental
labs. Cleaning and
pressing shop, drug store,
gasoline sales, grocery
store, jewelery and optical
goods, photographic supplies,
show repair, bank, bakery.
Nursery-indoor and outdoor
plants, landscape design.
Other uses, supplying the
everyday needs of the
immediate neighborhood.

GRANTED AS RECOMMENDED

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's
second, 6-0 Vote, Councilmember Rose out of the room.)

- (18) r-85 WILSON DEVEL. 10200 block of From "I-RR"
043 CORPORATION RM 2244 To "LR"
By T. J. Morton RECOMMENDED subject to
up to 60' of right-of-way
from centerline of RM
2244.
GRANTED AS RECOMMENDED
- (19) r-85 C.M. DUCKETT 1825 South IH-35 From "GR"
204 By Miguel To "CS & LO"
'Mike' Guerrero RECOMMENDED (as amended)
tied to footprint of
building, grant "GR"
for remainder, noting
that applicant will
resubmit an application
for "LO" within one month
of acquiring a building
permit if staff determines
that the proposed use can
be accommodated under
"GR".
GRANTED AS RECOMMENDED
- (20) -85 ODUS S. CRUMLEY 602 Deen Avenue From "MF-2"
158 By Helga Williams To "NO"
RECOMMENDED (as amended)
prohibiting access
to Deen, but noting that
a crash gate will be
provided to Deen to allow
emergency access.
GRANTED AS RECOMMENDED

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Councilmember Rose out of the room.)

- (21) -85 BEN FRANKLIN 2301 Montopolis From "I-SF-2"
117 CORP. Drive To "LI"
By Donald Bird RECOMMENDED subject to:
construction of a six (6') foot privacy
fence or a plant screening of no less than
approximately six (6') feet in height from the
existing office structure closest to Montopolis
Drive along a line approximately parallel with
Montopolis Drive to intersect the southernmost
property line of this tract provided, however, that
any gate necessary may be constructed of other than
wood materials if it is decided to use a privacy
fence. All machinery, materials, and vehicles

presently located between the above referenced fence or screen and Montopolis Drive shall be removed to a location east of that fence or screen. Reasonable landscaping provided and any new improvements supporting the existing use shall be located to the east of the referenced screening. No tractor trucks or any other type of vehicle in excess of one ton and which is operating under the control of the owner of the property or their lessee shall enter or leave the subject property using that part of Montopolis Drive to the north of the subject property toward Riverside Drive. All such traffic shall approach and leave the subject property along Montopolis Drive from Ben White Boulevard. Should the owners of this property determine at any time in the future that it is to their benefit to construct on this tract any structures which are not support structures for the existing use (i.e. any structures changing the use of the property from the the existing use) that the owner shall provide to its Montopolis neighbors through their neighborhood association an opportunity to review and comment on the Site or Construction Plans for such development at least fifteen (15) days prior to filing for any construction or building permits for such construction.

GRANTED AS RECOMMENDED WITH CONDITIONS
READ INTO THE RECORD

Mayor Pro Tem Trevino read into the record: "In meetings between Mr. Enrique Lopez representing the Montopolis Neighborhood Association and the undersigned representing the owners of the above referenced property, it has been agreed that certain additional conditions would be placed on the approval of the above referenced zoning case. The owner of the property, Ben Franklin Corporation, has authorized me to advise you that the addition of the following conditions to the approval of the above zoning case are acceptable to the owners as requested by the neighborhood association.

"It has been agreed between the owner and the neighborhood association that the property zoned under the above referenced case shall be prohibited from the following uses: commercial agricultural sales and services, automotive repair services, automotive rentals, automotive sales, campgrounds, convenience storage, kennels and general warehousing and distribution.

"It is requested that the City Council include the above listed restrictions of use in any motion approving the Limited Industrial Zoning change set forth in the above referenced zoning case. Below are signatures of the representative of the owner's agent (Donald E. Bird) and representative of the Montopolis Neighborhood Association (Enrique Lopez) confirming their joint agreement regarding the restrictions."

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Councilmember Rose out of the room.)

- (22) -85 JOE SEIDERS 3418, 3404-3324 From "I-SF-3"
208 By Mac Rogge Lane To "SF-2"
Spellman, Jr. RECOMMENDED subject to
dedication of 35 feet of
right-of-way from the
center line of Rogge Lane.
(Applicant requests indefinitely postponement). GRANTED INDEFINITE
POSTPONEMENT
- (23) -84 DR. THOMAS H. 3402 Glenview St. From "A" 1st (SF-3)
271 BARNETT 3403 Jefferson To "NO"
By B. L. RECOMMENDED subject to 30
Turlington feet of right-of-way from
centerline of Jefferson
and Glenview and attached
conditions as agreed on by
applicant and neighborhood
associations.
GRANTED AS RECOMMENDED
- (24) -84 DR. THOMAS H. 3404 Glenview St. From "A" 1st (SF-2)
272 BARNETT 3405 Jefferson To "NO"
By B. L. RECOMMENDED (as amended)
Turlington subject to 30 feet of
right-of-way from centerline
of Jefferson and Glenview
and attached conditions as
agreed to by applicant and
neighborhood associations.
GRANTED AS RECOMMENDED
- (25) -85 RONALD P. BROOKS 12210-12212 Pecan From "SF-3"
185 By Terrence Lang Street To "LI"
Irion RECOMMENDED subject to
45 feet of right-of-way
from centerline of McNeil
Road and up to 40 feet of
right-of-way from centerline
of Pecan Street.
GRANTED AS RECOMMENDED
- (26) -85 WILLIAM & JEAN 12207, 12201- From "SF-3"
183 HEATH, ET AL 12129 Pecan St. To "LI"
By Terrence Lang 12204-12212 Jekel RECOMMENDED subject to
Irion Circle 40 feet of right-of-way
from centerline of Jekel
Circle and Pecan Street.
GRANTED AS RECOMMENDED
- (27) -84 WILLIAM W. OATES 7119 McNeil From "A" 1st (SF-3)
164 By Terrence Lang 12209 Pecan St. To "LI"
Irion RECOMMENDED subject to
40 feet of right-of-way
from centerline of Jekel
Circle and up to 45 feet of
right-of-way from center-
line of McNeil Road.
GRANTED AS RECOMMENDED

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, 6-0 Vote, Councilmember Rose out of the room.)

(28) -85 DAVID R. BOONE 12130-12220 Pecan From "SF-3"
 184 By Terrence Lang Street To "LI"
 Irion RECOMMENDED subject to
 40 feet of right-of-way
 from centerline of Pecan
 Street.

GRANTED AS RECOMMENDED

(On Councilmember Carl-Mitchell's motion, Councilmember Urdy's second,
 6-0 Vote, Councilmember Rose out of the room.)

(29) r-85 RIVERSIDE 5301 E. Riverside From "SF-3" & "I-SF-2"
 020 BUSINESS PARK Drive To Tr. 1 "LO"
 By Monica Tr. 2 "IP"
 Schwanitz RECOMMENDED for tract
 2 noting that height
 will be limited to 40
 feet and subject to
 restrictive covenant
 submitted by applicant.

GRANT AS RECOMMENDED BUT NOT TRACT
 I, WHICH WAS WITHDRAWN

(On Councilmember Shipman's motion, Mayor Pro Tem Trevino's second,
 7-0 Vote)

(30) -84 UNIVERSITY 2201-2209 San From Tr. 1 "B" 2nd H&A
 306 PRESBYTERIAN Antonio Street (MF-5)
 CHURCH 410-412 W. 22nd Tr. 2 "C" 2nd H&A (CS)
 By Jerry Harris Street; 2211-2217 To "C" 3rd H&A (CS)
 San Antonio; 411- RECOMMENDED subject to
 413 23rd Street existing church sanctuary
 and education building are
 not to be changed. In the event of destruction,
 the zoning will revert to "MF-4"; Site plan and
 elevations presented in S.U.N.'s report--any
 substantial changes will be brought back to the
 S.U.N. for approval; Applicant will replace 60" of
 trees which will be removed during construction
 with new red oak trees on site in the right-of-way
 adjacent to the site, or, the applicant will
 donate such trees to be placed throughout the
 S.U.N. neighborhood; The building exterior will
 be of brick. Security lighting will be provided,
 especially in the alley; The building will be a
 mixed-use development with retail and offices on
 the ground floor, floors 2-5 as parking and floors
 6-8 will be residential apartments--as agreed
 to by applicant and Save University Neighborhood.

GRANT AS RECOMMENDED

(On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second,
 6-1 Vote, Councilmember Shipman voted No.)

- (31) -83 V.C. INVESTMENTS 6713 Manor Road From "I-A" 1st
 253 By Hermann Vigil (I-SF-3)
 To "B" 1st (MF-3)
 RECOMMENDED (as amended)
 "GR", 1st H&A, noting that up to 50 feet of
 right-of-way from the centerline is needed
 for Springdale Road and up to 35 feet of
 right-of-way from the centerline is needed
 for Turner Drive.

(Originally recommended as requested with conditions--applicant has down-zoned to allow use under Chapter 13-2A).

POSTPONED TO 9/12/85 @ 4:00 P.M.

- (32) -83 NASH PHILLIPS/ 5503-5317 McCarty From "I-AA" 1st H&A
 074 COPUS (Part) Lane To "SF-6"
 By Bruce N. Sloan RECOMMENDED (as amended)
 Tract 7: "BB", 1st H&A
 (154 units) subject to
 up to 40' of right-of-
 way from centerline of
 Beckett Road.

(Originally recommended as requested with conditions--applicant has amended to a more restrictive zoning).

POSTPONED TO 9/19/85 @ 4:00 P.M.

- (33) -84 JOE SEIDERS 5700-6112 From "I-A" 1st (I-SF-3)
 381 By Mac Springdale Road To Tr. 1 "O" 1st (LO)
 Spellmann, Jr. Tr. 2 "BB" 1st (MF-2)
 NOT RECOMMENDED
 RECOMMENDED "SF-3"

(Applicant requests indefinite postponement). GRANTED INDEFINITE POSTPONEMENT

- (34) -84 DAVID TAYLOR & 12210-12222 From ~~"I-RR"~~
 512 DUBB SMITH Tanglewild Drive TO "SF-6"
 By Minter, NOT RECOMMENDED
 Joseph & RECOMMENDED "SF-1"
 Thornhill
 (Applicant requests postponement until September 12, 1985)

POSTPONED TO 9/12/85 AT 4:00 P.M.

(35) -85 ORIN & MARJORIE
192 CLUCK

6505 Manchaca Road

From "I-SF-3"
To "CS"
NOT RECOMMENDED
RECOMMENDED "LO"
subject up to 45' of
right-of-way from
centerline of Manchaca.
GRANTED "GR"

Motion

Councilmember Shipman made a motion, seconded by Councilmember Carl-Mitchell to grant "LO".

Mayor Cooksey asked Mayor Pro Tem Trevino to take the chair so that he might offer a substitute motion.

Substitute Motion

Mayor Cooksey offered a substitute motion to grant "GR", which was seconded by Councilmember Urdy, and passed by a vote of 4-2, with Councilmembers Shipman and Carl-Mitchell voting No, and Councilmember Humphrey out of the room.

(36) -85 HOWARD PAYTON
163 By Gail Temple

10903-11109 Bluff
Bend Road

From "I-SF-2"
To Tr. 1 "LO"
Tr. 2 "MF-3"
NOT RECOMMENDED
(as amended)
RECOMMENDED Tr. 1 "LO"
& Tr. 2 "MF-1".

GRANTED "LO" ON TRACT 1 WEST OF BLUFF
BEND AND "SF-6" ON TRACT 2, EAST OF
BLUFF BEND

Motion - DIED FOR LACK OF SECOND

Councilmember Shipman made a motion to grant "LO" on Tract 1, and "SF-3" on Tract 2. There was no second to the motion.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, granted "LO" on Tract 1 and "SF-6" on Tract 2. (7-0 Vote)

- (37) -85 WILLIS SEIDERS, 5708 Springdale From "I-SF-3"
 175 ET AL Road To Tr. 1 "NO"
 By Mac Tr. 2 "LO"
 Spellmann, Jr. Tr. 3 "GR"
 NOT RECOMMENDED
 RECOMMENDED "SF-3".

(Applicant requests indefinite postponement).

INDEFINITE POSTPONEMENT UNANIMOUSLY APPROVED

- (38) -85 TOM GAY & 2810-2906 South From "I-RR"
 109 PETER HAMPTON RR 620 To "GO"
 NOT RECOMMENDED
 RECOMMENDED "LO"
 subject to 60' of
 right-of-way from
 centerline of RR 620.

GRANTED "LO"

(On Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, 7-0 Vote)

- (39) -85 ROY RUIZ 714-716 E. 45th St. From "SF-3"
 174 By Michael & 4500-4504 Caswell To "SF-5" (as amended)
 Pagnotta NOT RECOMMENDED
GRANTED "SF-5"

(On Mayor Pro Tem Trevino's motion, Councilmember Rose's second 7-0 Vote)

- (40) -85 HERBERT H. 307, 501, 503, 505 From "I-SF-2"
 189 BRACKMAN Provines Drive To "CS"
 NO RECOMMENDATION
POSTPONE ZONING REQUEST
- (41) -85 KENNETH D. & 500, 502, 504, 506 From "I-SF-2"
 190 NOLA ARNOLD Provines Drive To "CS"
 CECIL & BILLIE NO RECOMMENDATION
 BRADFORD POSTPONE ZONING REQUEST

Motion

(The above two cases were taken together.)

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, instructed the City Manager to instruct staff to include Mockingbird Hill area in the North Lamar Study with long term recommendations; staff is to report to Council on September 12, 1985, with a time frame. (7-0 Vote)

(42) -85 DAVID HONEYCUTT 3109 Burleson Road From "I-SF-3"
 048 TRUSTEE To "SF-6"
 By John Bolt NO RECOMMENDATION
 Harris

POSTPONE TO 9/26/85 @ 4 P.M.

Amendment to Conditions of Zoning/Restrictive Covenant

a. Recommended by the Planning Commission as Requested:

(1) -81 RUDOLPH AMER 3511 Manor Road Amendment to Ordinance
 187 By Jim Frazier and Site Plan Approval.
 RECOMMENDED
APPROVED

(On Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, 5-1-0 Vote, Councilmember Shipman voted No, Councilmember Urdy was out of the room.)

WATERSHED INTERIM DEVELOPMENT CONTROLS

Mayor Cooksey and Councilmember Humphrey introduced an item to Council to consider an ordinance establishing interim development controls concerning Onion, Bear and Little Bear Watersheds.

Several people spoke against such an ordinance, contending protective measures are already in place to preserve the aquifer. Councilmember Rose said he would like a work session on this subject.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed an ordinance establishing interim development controls in the Onion, Bear and Little Bear Watersheds. (6-0 Vote, Mayor Pro Tem Trevino out of the room.)

REVENUE REFUNDING UNDERWRITING GROUP

Councilmember Rose and Mayor Pro Tem Trevino introduced an item to Council to amend the Underwriting Group of revenue refunding bond sale to include Shearson-Lehman American Express as a co-manager.

Motion

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, approved amending the Underwriting Group of revenue refunding bond sale to include Shearson-Lehman American Express as a co-manager. (7-0 Vote)

CITY MANAGER REPORTS POSTPONED

Due to the lateness of the hour, the following reports were postponed by the City Manager:

Arts Funding	Tuesday September 10, 1985
Moore's Crossing	Monday September 9, 1985
North Travis County MUDs 1-3	Monday September 9, 1985
Erosion and Sedimentation Control	September 19, 1985

ADJOURNMENT

Council adjourned its meeting at 1:00 A.M.